

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**PATRICK DONALDSON,**

**Petitioner,**

**v.**

**CASE NO. 2:12-cv-464**

**Judge Frost**

**Magistrate Judge King**

**WARDEN, ROSS CORRECTIONAL  
INSTITUTION,**

**Respondent.**

**ORDER**

On November 27, 2012, the United States Magistrate Judge recommended that this habeas corpus action be dismissed as barred by the one year statute of limitations established by 28 U.S.C. § 2244(d)(1). *Report and Recommendation*, Doc. No. 9. Although the parties were advised of their right to object to that recommendation and of the consequences of their failure to do so, the parties have not filed an objection.

The *Report and Recommendation*, Doc. No. 9, is **ADOPTED AND AFFIRMED**.

This action is hereby **DISMISSED** as untimely under 28 U.S.C. § 2244(d)(1).

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT**.

/s/ Gregory L. Frost  
Gregory L. Frost.  
United States District Judge